

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1979 be amended to read as follows:

- 1 Page 4, line 19, delete "subsection (1)(b)." and insert "**section 1(b)**
- 2 **of this chapter.**".
- 3 Page 4, line 21, delete "subsection (1)(a)" and insert "**section 1(a)**".
- 4 Page 4, line 21, delete "an" and insert "**a**".
- 5 Page 4, line 22, delete "application" and insert "**petition**".
- 6 Page 4, line 22, after "commission" insert "**under IC 8-1-2.5 or**
- 7 **IC 8-1-8.5**".
- 8 Page 4, line 24, delete "IC 8-1-8.5" and insert "**IC 8-1-2.5**".
- 9 Page 4, line 25, delete "IC 8-1-2.5:" and insert "**IC 8-1-8.5:**".
- 10 Page 5, line 2, delete "the commission" insert "**the commission**".
- 11 Page 5, between lines 9 and 10, begin a new paragraph and insert:
- 12 "**Sec. 6. (a) If, after notice and hearing the commission**
- 13 **determines that a merchant power plant that has received approval**
- 14 **by the commission has:**
- 15 **(1) failed to commence construction of a merchant power**
- 16 **plant and is no longer diligently pursuing the commencement**
- 17 **of construction of a merchant power plant within two (2)**
- 18 **years after the date of the commission's approval; or**
- 19 **(2) not substantially completed construction of a merchant**
- 20 **power plant within five (5) years after the date of the**
- 21 **commission's approval;**
- 22 **any declination of jurisdiction by the commission under IC 8-1-2.5**
- 23 **terminates and the commission may revoke its approval of the**
- 24 **merchant power plant.**

1 **(b) A merchant power plant may submit a new petition for**
2 **commission approval after having its approval revoked under**
3 **subsection (a).**

4 **(c) The commission may defer for cause, deny, or approve a**
5 **petition filed under subsection (b).".**

6 Page 5, line 18, delete "IC 8-1-8.3-3(2)(C)," and insert
7 **"IC 8-1-8.3-3(2)(C),".**

(Reference is to HB 1979 as printed February 28, 2001.)

Representative Crooks